REMARKS

Claims 1, 3-10, 12-13, 15-21, 23-31, 42 and 44-48 remain pending in the application. Claims 1, 10, 13, 17, 19, 21, 23, 42 and 48 are herein amended.

Claims 1, 3-10, 12-13, 15-21, 23-31, 42 and 44-48 were rejected under 35 U.S.C. Section 103(a) based on various combinations of:

TERAS Evaluation Module User Guide (hereinafter referred to simply as "TERAS");

Curtis (2002/0053430);

Joshi et al. ("Techno--Economic and Risk Evaluation of a Thermal Recovery Project");

material the Examiner deems to be "Applicant's Admitted prior art"; and

Ortoleva (U.S. Pub 2002/0013687 A1).

Applicant respectfully disagrees with these rejections. However, in order to expedite the case towards an allowance, Applicant has amended independent claims 1, 10, 13, 17, 19, 21, 42 and 48.

Claim 1, as herein amended, recites in pertinent part: "executing one or more simulation engines", "wherein the one or more simulation engines include one or more physics-based flow simulators for simulating reservoirs, wells and surface-pipeline hydraulics." This feature is not taught in any of the cited references or suggested by any combination of the cited references. In particular, TERAS never suggests physics-based simulation of the flow of fluids in a reservoir, in wells or in surface pipelines. While Curtis mentions "history match[ing] flow simulations" (last line of paragraph 13) and "flow simulation model 208" (paragraphs 59-60), Curtis never suggests any use of "one or more physics-based flow simulators for simulating reservoirs, wells and surface-pipeline hydraulics" as recited in claim 1. Thus, claim 1 and its dependents are patentably distinguished over the cited references at least for these reasons.

Claims 10, 13, 17, 19, 21, 42 and 48 each recite a feature similar to that recited above in connection with claim 1. Thus, these claims and their dependents are patentably distinguished over the cited references based on similar reasoning.

Claim 31 recites:

A method comprising:

(a) receiving user input to assemble a first case comprising models and planning variables;

(b) receiving user input to assemble a second case based on the first case;

(c) storing the first case, the second case and differences between the first case and second case in a memory medium;

(d) displaying an indication of the first case, second case, and a parent child relationship between the first case and second case;

(e) conditionally displaying the differences between the first case and second case in response to a user request. *[Labels (a) through (e) added for the sake of discussion]*

Regarding action (a), the Examiner points to the "Decision Trees" section of TERAS page 137, and states: "[TERAS] teaches designing cases that approximate the mean value of a stochastic model. This is regarded as assembling a first case comprising models and planning variables." Thus, it appears that the Examiner is identifying the "first case" of claim 31 with one of the scenarios in TERAS's "stochastic model" (page 137, line 13-14).

Regarding action (b), the Examiner points to the "Entering Reservoir Level Data" section of TERAS page 53, and states: "This section's teaching of creating a new case from a previous case suggests this limitation." Thus, it appears that the Examiner is identifying the "second case" of claim 31 with TERAS's second evaluation (called "Workover Stochastic").

Regarding action (d), the Examiner points to the "Adding a project to the evaluation" section of TERAS page 179-180, and states "The project here is regarded as

12

a case." Thus, the Examiner is identifying "the first case" and the "second case" of claim 31 with "project[s] in the evaluation hierarchy" of TERAS.

Thus, the Examiner identifies the claimed notion of "case" with three different (and inconsistent) types of object from TERAS: a scenario of a stochastic model, an evaluation, and a project within an evaluation hierarchy. In other words, the Examiner has chosen different definitions of the word "case" for different clauses of claim 31. This is clearly not proper examination procedure.

Furthermore, none of the cited references suggest "storing the first case, the second case and <u>differences between the first case and second case</u> in a memory medium" as recited in claim 31. The Examiner acknowledges that TERAS does not teach this feature. (Office Action, page 10, lines 15-16). However, the Examiner states

> "Global Level section on page 159 and Creating Shared Screen section on page 171 describe creating configurations at global level that would not change for subsequent evaluations. The Examiner regards these teachings as storing differences between cases in memory medium since cases' different settings are created in their own databases []." (Office Action, page 10, last two lines).

Applicant respectfully disagrees. The fact that two TERAS evaluations share the same "global level data" does not in any way suggest that differences between the two evaluations are being stored in a memory medium.

Finally, none of the cited references suggest "conditionally displaying the differences between the first case and second case in response to a user request" as recited in claim 31. As argued above, TERAS does not teach "storing ... differences" as claimed. Thus, TERAS also does not teach "conditionally displaying the differences" as claimed. Regarding this feature, the Examiner states that "it would have been obvious for users to display differences between the 2 cases by clicking on the second case tab, which stores only differences, to display them." (Office Action, page 11, second paragraph). However, the Examiner has not pointed to any passage in TERAS where differences between evaluations or projects are displayed.

Thus, Claim 31 is patentably distinguished over the cited references at least for the reasons given above.

CONCLUSION

Applicant submits the application is in condition for allowance, and an early notice to that effect is requested.

If any extensions of time (under 37 C.F.R. § 1.136) are necessary to prevent the above-referenced application(s) from becoming abandoned, Applicant(s) hereby petition for such extensions. The Commissioner is hereby authorized to charge any fees which may be required or credit any overpayment to Meyertons, Hood, Kivlin, Kowert & Goetzel P.C., Deposit Account No. 50-1505/5460-01101/JCH.

Also filed herewith are the following items:

☐ Request for Continued Examination

☐ Terminal Disclaimer

☐ Power of Attorney By Assignee and Revocation of Previous Powers

☐ Notice of Change of Address

☐ Other:

Respectfully submitted,

Mark K. Brightwell

Mark K. Brightwell, Reg. # 47,446
AGENT FOR APPLICANT(S)

Meyertons, Hood, Kivlin, Kowert & Goetzel PC
P.O. Box 398
Austin, TX 78767-0398
Phone: (512) 853-8800
Date: December 13, 2007   MKB

14